

REMARKS

Summary

Claims 1-31 were pending in this application. Claims 1, 8-9, 15, and 20-21 have been amended, Claims 16-19 and 23-31 withdrawn, and Claims 32-49 added. Claims 1-15, 20-22, and 32-49 are pending. No new matter has been added as a result of this amendment.

35 U.S.C. §112, first paragraph, Rejection of Claims

Claims 1, 9, 20, and 21 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. More specifically, the Examiner indicates the term “components” in these claims is not shown in the drawings or mentioned in the detailed description. Although Applicants have cancelled these elements from the claims, the term “components” is discussed in the Summary and Background section. Moreover, paragraph 28 describes that “[t]he enclosures [of the rack] generally protect internally disposed equipment, such as patch panels 22 having a number of ports 24 thereon.” Thus, it is clear that in one embodiment (but not the only embodiment), “components” may be internally disposed equipment, such as patch panels 22. Accordingly, Applicants traverse the rejection.

35 U.S.C. §102(b)/103(a) Rejection of Claims

Claims 1-5, 8-12 and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by Wheeler et al. (U.S. Patent 5,758,003; “Wheeler”). Claims 6-7 and 13-14 were rejected under 35 U.S.C. §103(a) as being obvious over Wheeler in view of Larsen et al. (U.S. Patent 6,365,834; “Larsen”). Claims 20-22 were rejected under 35 U.S.C. §103(a) as being obvious over Wheeler. Claims 1-7, 9-14 and 20-22 were rejected under 35 U.S.C. §103(a) as being obvious over Caveney (U.S. Patent 6,614,978). Applicants have amended Claims 1, 9, and 20 and submit that the pending claims are patentable over the cited references.

Claims 1 and 20 recite a rack that comprises, inter alia, a pass-through tray. The pass-through tray includes at least one upstanding spool disposed substantially at a center of the tray. Similarly, Claim 9 recites a pass-through tray that comprises, inter alia, at least one upstanding spool disposed substantially at a center of the base of the tray.

None of the cited references, alone or in combination, anticipate or suggest such an arrangement. Larsen does not disclose a spool. The Examiner stated that Wheeler discloses an upstanding spool. However, the spool (radius limiter) 64 taught by Wheeler is disposed proximate to the side of the tray, not the center. The radius limiter 64 is disposed proximate to the side so as to prevent excessive bending of fibers passing through ends 60a, 60b (col. 5, lines 10-15). Accordingly, Wheeler does not anticipate or suggest arrangements in which a spool is disposed proximate to the center of the tray, as recited in Claims 1 and 20, or proximate to the center of the base, as recited in Claim 9.

Regarding the rejection under 35 U.S.C. §103(a) over Caveney, Applicants herein state that the instant application and U.S. Patent 6,614,978 were commonly owned at the time the invention of the instant application was made. Accordingly, Applicants submit that per 35 U.S.C. §103(c) Caveney no longer qualifies as prior art.

For at least these reasons, none of the cited references, alone or in combination, anticipate or suggest the arrangements of Claims 1, 9, and 20. Thus, Claims 1, 9, and 20 are patentable over the cited references.

As Claims 1, 9, and 20 are patentable, Claims 2-8, 10-15, 20-22, and 32-49 are patentable, without more.

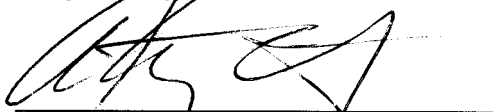
Claims 32-49 have been added in the instant amendment. Applicants submit that no new matter has been added as a result of these new claims. In addition, Applicants submit that none of the cited references, alone or in combination, anticipate or suggest the arrangements of new Claims 32-49. Accordingly, Applicants submit that Claims 32-49 are independently patentable over the cited references.

Conclusion

Applicants submit that the pending claims are in condition for allowance. If the Examiner believes that a telephone interview would be desirable to clear up further issues, the Examiner is encouraged to contact the undersigned at the telephone number below. The present response is being submitted within the two-month extension period for response to the Office Action. The Commissioner is authorized to charge the extension fee of \$450 for an extension for response within the second month to Deposit Account Number 16-0228. The Commissioner is

further authorized to charge any other fee deemed necessary, except the issue fee, to deposit account number 16-0228.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anthony P. Curtis', is written over a horizontal line.

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